IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5882 OF 2002

Fakir Mohamed Haji Buransaheb Kokani & Ors. : Petitioners

V/s.

Jilani Akbar Kokani & Ors. : Respondents

...

Mr.R.D.Soni i/b. S. Ram & Co. for the petitioners.

Mr.C.R.Sonawane, Asstt. Govt. Pleader for respondent nos.3 to 5.

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CORAM : S.RADHAKRISHNAN & S.A.BOBDE, JJ.

October 11, 2004.

P.C.:

1. Heard the learned counsel for the petitioner and the learned Asstt. Govt. Pleader for respondent nos.3 to 5. Perused the affidavit-in-reply filed on behalf of respondent nos.2 and 5 dated 4.12.2002.

2. As the matter has been already remanded back for fresh inquiry by the Commissioner, Nasik, by the order passed by the Hon’ble Minister for Revenue dated 25.10.2002, nothing further survives in this petition. The petition stands

dismissed. However, it is made clear that the Commissioner, Nasik, shall conduct the said inquiry without being influenced by the said order passed by the Hon'ble Minister for Revenue dated 25.10.2002 in any manner whatsoever. All issues and contentions raised by the parties are expressly kept open.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)